

1 appears that Petitioner is seeking a petition for a writ of habeas corpus pursuant to 28
2 U.S.C. § 2254. In the interest of justice, the Court extended the time for Petitioner
3 to file a petition, such that Petitioner had until July 19, 2009 to proceed with this
4 action. Petitioner was advised that failure to file a petition in accordance with the
5 Court's order would result in dismissal of this action without further notice to
6 Petitioner. (Id.)

7 The deadline has since passed, and Petitioner has not filed a petition.
8 Accordingly, this action is DISMISSED without prejudice.

9 IT IS SO ORDERED.

10 DATED: 7/30/09 _____

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12 JEREMY FOGEL
13 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BRIAN SUM,

Petitioner,

v.

PEOPLE OF THE STATE OF CALIFORNIA,

Respondent.

Case Number: CV09-00523 JF

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on _____, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Brian Sum F-20945
CSP-SATF IV
Substance Abuse Treatment Facility
P.O. Box 5246; C-5; Cell-132
Corcoran, CA 93212

Dated: _____

Richard W. Wieking, Clerk